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# Convention on the Elimination of All Forms of Discrimination against Women

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**Committee on the Elimination of Discrimination against Women**
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Item 7 of the provisional agenda*
**Ways and means of expediting the work of the Committee**

## Ways and means of expediting the work of the Committee

### Report of the Secretariat

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# I. Introduction

1. The present report contains information that is relevant to the work of the Committee on the Elimination of Discrimination against Women, including information on developments in the United Nations human rights regime.

2. A list of States parties to the Convention on the Elimination of All Forms of Discrimination against Women whose reports are five years or more overdue is contained in annex I. A list of States parties whose reports have been submitted but not yet considered by the Committee, together with the date of receipt of those reports, is contained in annex II. Section V of the present report provides information on the reports to be considered by the Committee at future sessions.

3. Information on the efforts of the Special Adviser on Gender Issues and Advancement of Women and the Director of the Division for the Advancement of Women of the Department of Economic and Social Affairs to encourage universal ratification of the Convention, ratification of its Optional Protocol, timely reporting, and acceptance of the amendment to article 20, paragraph 1, of the Convention is contained in section VI. A list of States parties that have signed, ratified or acceded to the Optional Protocol is contained in annex III, and a list of States parties that have accepted the amendment to article 20, paragraph 1, is contained in annex IV. A list of States that have not yet ratified or acceded to the Convention is contained in annex V.

4. The draft model form for communications, prepared by the Working Group on the Optional Protocol to the Convention, is contained in annex VI. The revised reporting guidelines of the Human Rights Committee are contained in annex VII.

# II. Developments in the human rights regime

## A. Human rights treaty bodies

### Human Rights Committee

5. The Human Rights Committee, at its seventy-first session held from 19 March to 6 April 2001, adopted new rules of procedure, to address cases in which States parties to the International Covenant on Civil and Political Rights[1] fail on a long-term basis, despite reminders, to submit initial or periodic reports.[2] According to these rules, the Committee may, at its discretion, notify the relevant State party, through the Secretary-General, that it intends, on a date or at a session specified in the notification, to examine in private session the measures taken by the State party to give effect to the rights recognized in the Covenant and to proceed by adopting provisional concluding observations which will be submitted to the State party. The Committee is obliged to transmit to the State party at least three months prior to the date or the session specified, information in its possession that it considers appropriate for the examination.[3] In accordance with this new procedure, the Human Rights Committee will examine in 2002 the measures taken by the Gambia and Suriname, at its seventy-fourth and seventy-fifth sessions, respectively.

6. New rules of procedure were also adopted to address the case in which, having submitted a report that has been scheduled for examination at a particular session, a State party informs the Committee, at a time when it is impossible to substitute an alternative State party report, that its delegation will not attend the session.

7. Under these rules, the Committee may notify the State party, through the Secretary-General, that it intends to examine the report at a specified future session or to proceed, at the session originally specified, to examine the report, adopt provisional concluding observations and determine the date on which the report shall be examined or the date on which a new periodic report shall be submitted. Situations dealt with in accordance with these rules of procedure shall be reflected in the Committee's annual report, which will not contain the text of the provisional concluding observations.

8. The new rules of procedure are reflected in the consolidated guidelines for reports submitted by States parties under the International Covenant.[4]

9. Rules 70 and 70 A of the revised rules of procedure of the Human Rights Committee establish a mechanism for follow-up to concluding observations, with the concluding observations identifying four to six priority concerns on which the State party is invited to report to the Committee under rule 70, paragraph 5. Rule 70 A provides that, where the Committee has specified as a priority concern certain aspects of its

concluding observations on a State party's report under rule 70, paragraph 5, it shall establish a procedure to consider replies by the State party on those aspects, and to decide on the consequent action, including the date set for the next periodic report, that may be appropriate.

10. At its seventy-second session, held from 9 to 27 July 2001, the Human Rights Committee adopted General Comment No. 29 on derogations from provisions of the Covenant during a state of emergency.[5] Its next general comment will concern article 2 of the Covenant.[6]

**Committee on the Elimination of Racial Discrimination**

11. The Committee on the Elimination of Racial Discrimination, at its fifty-eighth session held from 6 to 23 March 2001, reviewed several aspects of its working methods, including the question of periodicity of reporting, in the light of article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination[7] which requires States parties to submit reports on implementation within one year after entry into force of the Convention for the State concerned, and thereafter every two years or whenever the Committee so requests.

12. Formalizing a practice that it had been following for several years, the Committee decided that in a case where the period between the date of the examination of the last periodic report and the scheduled date for the submission of the next periodic report was less than two years, it might suggest in its concluding observations that the State party concerned, if it so wished, submit the latter report jointly with the periodic report to be submitted at the following date fixed in accordance with article 9 of the Convention.[8] The Committee implemented that decision during its fifty-eighth session with respect to the reports of Algeria, and considered the combined thirteenth and fourteenth periodic reports of that State party in the same month that its fifteenth periodic report fell due. In these circumstances, the Committee decided to invite the State party to submit its fifteenth report jointly with its sixteenth periodic report at the time when the latter report fell due.[9]

13. The Committee on the Elimination of Discrimination against Women may wish to adopt this practice in similar situations.

**Committee on the Rights of the Child**

14. The Committee on the Rights of the Child decided to adopt the practice currently employed by the Committee on Economic, Social and Cultural Rights,[10] and the Human Rights Committee (see para. 5 above) of considering States parties whose reports are long overdue on the basis of other sources of information. Such States parties would be informed in advance of the Committee's intention of considering their situation in the absence of a report.

15. In January 2001, the Committee adopted its first general comment on article 29, paragraph 1, of the Convention on the Rights of the Child[11] on the aims of education. It has since begun work on three general comments on national human rights institutions and child rights, HIV/AIDS and adolescent health. The Committee has adopted guidelines (CRC/OP/AC/1) for the initial reports to be submitted by States parties on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,[12] which will enter into force on 12 February 2002. The Committee's annual day of discussion held on 28 September 2001 focused on violence against children, within the family and within schools (see CRC/C/111).

16. At its twenty-eighth session, the Committee on the Rights of the Child decided to insert systematically, and at an appropriate juncture, in all its concluding observations a request that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up the Declaration and Programme of Action adopted at the 2001 World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance.[13]

17. The Committee on the Elimination of Discrimination against Women may wish to consider inserting a similar request, where appropriate, in its concluding comments.

## B. Thirteenth meeting of the chairpersons of human rights treaty bodies

18. The thirteenth meeting of the chairpersons of human rights treaty bodies was held from 18 to 22 June 2001. The Chairperson of the Committee on the Elimination of Discrimination against Women,

Charlotte Abaka, was elected Vice-Chairperson of the meeting.

19. In addition to discussing matters of common interest, the chairpersons held an exchange of views with the Chairperson of the Commission on Human Rights and the Chairperson of the Subcommission on the Promotion and Protection of Human Rights, and a joint meeting with representatives of the special procedures system of the Commission on Human Rights. They also held a full-day informal meeting with representatives of Member States, at which several delegations expressed their interest in the meeting convened by the Human Rights Committee with States parties to the International Covenant on Civil and Political Rights during one of its sessions. It was noted that the Committee on Economic, Social and Cultural Rights had agreed to convene a similar meeting.

20. The Committee on the Elimination of Discrimination against Women may wish to consider convening such a meeting.

21. The chairpersons also considered the possibility of holding a meeting among members of all treaty bodies in order to develop a common approach to specific issues, and decided that the first such meeting should address questions relating to the methods of the work of the treaty bodies.

22. The Committee on the Elimination of Discrimination against Women may wish to propose potential agenda items for the first meeting of treaty bodies on common approaches.

### C. Subcommission on the Promotion and Protection of Human Rights

23. The Subcommission on the Promotion and Protection of Human Rights, at its fifty-third session held from 30 July to 17 August 2001, adopted a number of resolutions and decisions relevant to the work of the Committee on the Elimination of Discrimination against Women, including resolution 2001/13 of 15 August 2001, on traditional practices affecting the health of women and girls, and resolution 2001/20 of 16 August 2001, on systematic rape, sexual slavery and slavery-like practices.

24. By resolution 2001/14 of 15 August 2001, the Subcommission invited the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child and the Human Rights Committee to elaborate general recommendations in order to clarify reporting procedures with regard to victims of trafficking, in particular for purposes of prostitution and exploitation of the prostitution of others, as provided in the 1949 Convention on the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. Also, it recommended that the Committee on the Elimination of Discrimination against Women, when examining the reports of States parties, give particular attention to the implementation of article 6 of the Convention on the Elimination of Discrimination against Women, and include in its general comments and recommendations an item concerning contemporary forms of slavery.

25. In its resolution 2001/17 of 16 August 2001, on reservations to human rights treaties, the Subcommission, noting the concerns expressed by the Committee on the Elimination of Discrimination against Women with regard to reservations, decided to entrust Françoise Hampson with the task of preparing a more expansive working paper on the question, to be submitted to the Subcommission at its fifty-fourth session.[14] The Subcommission also decided to continue its studies on the concept and practice of affirmative action (decision 2001/108) and the rights of non-citizens (decision 2001/107).

## III. World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

26. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 8 September 2001 recognized that racism, racial discrimination and related intolerance affected women and girls differently than men and boys, and that women might be subjected to multiple forms of discrimination, which could be factors that lead to a deterioration in their living conditions, poverty, violence and the limitation and denial of their human rights. The Conference stressed the need to integrate a gender perspective into relevant policies, strategies and programmes against racism and racial discrimination in order to address multiple forms of discrimination, and the importance of the development of a more systematic and consistent approach to evaluating and

monitoring racial discrimination against women and the obstacles and difficulties it produces for them.

27. Several situations in which both racial discrimination and gender-based discrimination create particular difficulties for women and girls were highlighted by the Conference, and emphasis was placed on the elimination of trafficking in persons, especially women, youth and children. Particular groups of women, including immigrants, women migrant workers, girls, African women, women of African descent, Asian women, women of Asian descent, indigenous women and girls, refugee and internally displaced women and girls, and Roma, Gypsy, Sinti and Traveller girls were also identified as being vulnerable to racial and gender-based discrimination. Discrimination on the basis of both race and gender was also recognized as making women and girls particularly vulnerable to sexual violence as a weapon of war.

28. Among the strategies recommended by the Conference to confront racism, racial discrimination, xenophobia and related intolerance were the ratification and implementation of human rights instruments; States that had not yet done so were urged to consider signing and ratifying human rights and other treaties, and to implement them fully. In this regard, States were urged to ratify the Convention on the Elimination of All Forms of Discrimination against Women with a view to achieving universal ratification within five years, and to ratify the Optional Protocol.

## IV. Revision of the reporting guidelines of the Committee

29. The guidelines of the Committee for the preparation of initial and periodic reports by States parties were first issued in 1983 and 1988, respectively, and revised in 1995 and 1996. These guidelines are brief in comparison with those of the Committee on Economic, Social and Cultural Rights,[15] the Human Rights Committee (see annex VII) and the Committee on the Rights of the Child.[15] The current guidelines of the Committee on the Elimination of Discrimination against Women provide no guidance on reporting with regard to the general recommendations of the Committee, and those relating to periodic reports do not indicate how issues raised in the concluding comments on the previous report of the State party should be addressed. In addition, the current guidelines make no reference to the Optional Protocol to the Convention. It should be noted that article 7, paragraph 5, of the Optional Protocol provides that the Committee may invite a State party to submit further information about any measures that it has taken in response to the views or recommendations of the Committee on individual communications in its subsequent reports under article 18 of the Convention, and article 9 of the Optional Protocol provides that the Committee may invite the State party to include in such reports details of any measures taken in response to an inquiry conducted under article 8 of the Protocol.

30. Taking into account that the Human Rights Committee has recently adopted revised guidelines (see annex VII) and that the Committee on Economic, Social and Cultural Rights is currently revising its reporting guidelines, in particular to ensure that periodic reports are focused and respond to concluding observations,[16] the Committee may wish to consider revising its reporting guidelines to incorporate these and other elements.

## V. Reports to be considered by the Committee at future sessions

31. At its twenty-fifth session, the Committee drew up the list of States parties whose reports would be considered at future sessions. The Committee decided to consider, at its twenty-seventh session to be held from 3 to 21 June 2002, the initial report of Costa Rica; the combined third and fourth periodic reports of Belgium and Zambia; the fourth periodic report of Tunisia; the combined fourth and fifth periodic reports of Ukraine; and the fourth and fifth periodic reports of Denmark would be considered.[17]

32. The Committee also decided that, were the General Assembly to approve its proposal to convene an exceptional session in August 2002 to consider outstanding reports, it would consider the second periodic reports of Armenia, the Czech Republic and Equatorial Guinea; the third periodic report of Guatemala; the fourth periodic reports of Argentina, Barbados, Greece and Yemen; the fourth and fifth periodic reports of Hungary; and the fifth periodic reports of Mexico, Norway and Peru.[18]

33. Further, the Committee decided that it would consider, at its twenty-eighth session to be held in

January 2003, the second periodic reports of the Libyan Arab Jamahiriya, Morocco and Slovenia; the third periodic reports of Guatemala and Uganda and the fourth periodic report of Japan.[19] Japan has indicated that it will submit its fifth periodic report in late 2002, and that it would wish its fourth and fifth periodic reports to be taken up together at the twenty-ninth session of the Committee, to be held in June/July 2003. In finalizing the list of reports to be considered at the twenty-eighth session and proposing those to be considered at future sessions, the Committee's attention is drawn to annex II which contains a list of States parties whose reports have been submitted but not yet considered.

## VI. Efforts to encourage universal ratification of the Convention on the Elimination of All Forms of Discrimination against Women, ratification of the Optional Protocol and acceptance of the amendment to article 20, paragraph 1, of the Convention

34. The Special Adviser to the Secretary-General on Gender Issues and Advancement of Women and the Director of the Division for the Advancement of Women have continued their efforts to encourage universal ratification of the Convention, acceptance of the Optional Protocol and the amendment to article 20, paragraph 1, of the Convention, and the fulfilment of reporting obligations. Notably, in November 2001, the Special Adviser addressed letters to members of the Committee representing States that had not yet accepted the amendment, while notes verbales urging acceptance were sent to all States parties which had yet to accept the amendment. The Division provided technical support to a subregional training workshop, organized by the Secretariat of the Pacific Community with support from the United Nations Development Programme and the Government of the United Kingdom of Great Britain and Northern Ireland, on the ratification of the Convention, in which the representatives of five member States participated.[20]

35. The Division collaborated with the Inter-Parliamentary Union in the preparation of a handbook for parliamentarians on the Optional Protocol to the Convention. It also collaborated with the Law Faculty of the University of Michigan, United States of America, and Equality Now in the preparation and convening of a meeting for lawyers on the Optional Protocol.

*Notes*

[1] See General Assembly resolution 2200 A (XXI), annex.

[2] See *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 40*, (A/56/40), vol. I, annex III, sect. B.

[3] Ibid., rules 69 and 69 A.

[4] Ibid., annex III, sect. A.

[5] Ibid., annex VI.

[6] Article 2 reads as follows:

> "1. Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
>
> "2. Where not already provided for by existing legislative or other measures, each State party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such legislative or other measures as may be necessary to give effect to the rights recognized in the present Covenant.
>
> "3. Each State Party to the present Covenant undertakes:
>
> "(a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;
>
> "(b) To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;
>
> "(c) To ensure that the competent authorities shall enforce such remedies when granted."

[7] General Assembly resolution 2106 A (XX), annex.

[8] See *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 18* (A/56/18), para. 477.

[9] Ibid., para. 40. See also the Committee's concluding observations on Argentina, Georgia, Germany, Greece, Iceland and Japan, adopted at its fifty-eighth session, and those on China, Cyprus, Egypt, Italy, Sri Lanka, Trinidad and Tobago, Ukraine, the United States of America and Viet Nam, adopted at its fifty-ninth session (ibid., chap. III).

[10] See "Extract from the report of the Committee on Economic, Social and Cultural Rights on its twenty-fifth session: review of methods of work of the Committee" (E/2001/L.8), paras. 36 and 37. The Committee has since extended this procedure to States parties whose periodic reports are significantly overdue.

[11] General Assembly resolution 44/25, annex.

[12] General Assembly resolution 54/263, annex I.

[13] See, for example, the concluding observations of the Committee on the report submitted by Cameroon (CRC/C/15/Add.164).

[14] For the background to this decision, see the report of the Secretariat on ways and means of expediting the work of the Committee (CEDAW/C/2000/II/4), paras. 38-39).

[15] See compilation of guidelines on the form and content of reports to be submitted by States parties to the international human rights treaties (HRI/GEN/2).

[16] See "Extract from the report of the Committee on Economic, Social and Cultural Rights on its twenty-fifth session: review of methods of work of the Committee" (E/2000/L.8), paras. 9-12.

[17] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 38* (A/56/38), part two, para. 372.

[18] Ibid., para. 375.

[19] Ibid., para. 373.

[20] Kiribati, Marshall Islands, Micronesia (Federated States of) and Palau.

# Annex I

## States parties whose reports are five years or more overdue as at 22 November 2001

| *State party* | *Date due* |
|---|---|
| **A. Initial reports** | |
| Albania | 10 June 1995 |
| Angola | 17 October 1987 |
| Bahamas | 5 November 1994 |
| Benin | 11 April 1993 |
| Bhutan | 30 September 1982 |
| Bosnia and Herzegovina | 1 October 1994 |
| Brazil | 2 March 1985 |
| Cambodia | 14 November 1993 |
| Cape Verde | 3 September 1982 |
| Central African Republic | 21 July 1992 |
| Chad | 9 July 1996 |
| Comoros | 30 November 1995 |
| Congo | 25 August 1983 |
| Dominica | 3 September 1982 |
| Eritrea | 5 October 1996 |
| Gambia | 16 May 1994 |
| Grenada | 29 September 1991 |
| Guinea-Bissau | 22 September 1986 |
| Haiti | 3 September 1982 |
| Kuwait | 2 October 1995 |
| Lao People's Democratic Republic | 13 September 1982 |
| Latvia | 14 May 1993 |
| Lesotho | 21 September 1996 |
| Liberia | 16 August 1985 |
| Malaysia | 4 August 1996 |

| *State party* | *Date due* |
|---|---|
| Malta | 7 April 1992 |
| Papua New Guinea | 11 February 1996 |
| Saint Kitts and Nevis | 25 May 1986 |
| Saint Lucia | 7 November 1983 |
| Samoa | 25 October 1993 |
| Seychelles | 4 June 1993 |
| Sierra Leone | 11 December 1989 |
| Suriname | 31 March 1994 |
| Tajikistan | 25 October 1994 |
| The former Yugoslav Republic of Macedonia | 17 February 1995 |
| Togo | 26 October 1984 |
| Vanuatu | 8 October 1996 |
| **B. Second periodic reports** | |
| Angola | 17 October 1991 |
| Bhutan | 30 September 1986 |
| Bolivia | 8 July 1995 |
| Brazil | 2 March 1989 |
| Cape Verde | 3 September 1986 |
| Central African Republic | 21 July 1996 |
| Congo | 25 August 1987 |
| Costa Rica | 4 May 1991 |
| Dominica | 3 September 1986 |
| Gabon | 20 February 1988 |
| Grenada | 20 September 1995 |
| Guinea-Bissau | 22 September 1990 |
| Haiti | 3 September 1986 |
| Lao People's Democratic Republic | 13 September 1986 |
| Liberia | 16 August 1989 |
| Madagascar | 16 April 1994 |

| *State party* | *Date due* |
|---|---|
| Malawi | 11 April 1992 |
| Mali | 10 October 1990 |
| Malta | 7 April 1996 |
| Nepal | 22 May 1996 |
| Saint Kitts and Nevis | 25 May 1990 |
| Saint Lucia | 7 November 1987 |
| Sierra Leone | 11 December 1993 |
| Togo | 26 October 1988 |
| Zimbabwe | 12 June 1996 |
| **C. Third periodic reports** | |
| Angola | 17 October 1995 |
| Bhutan | 30 September 1990 |
| Brazil | 2 March 1993 |
| Cape Verde | 3 September 1990 |
| Congo | 25 August 1991 |
| Costa Rica | 4 May 1995 |
| Cyprus | 22 August 1994 |
| Dominica | 3 September 1990 |
| Gabon | 20 February 1992 |
| Ghana | 1 February 1995 |
| Guinea-Bissau | 22 September 1994 |
| Guyana | 3 September 1990 |
| Haiti | 3 September 1990 |
| Lao People's Democratic Republic | 13 September 1990 |
| Liberia | 16 August 1993 |
| Malawi | 11 April 1996 |
| Mali | 10 October 1994 |
| Mauritius | 8 August 1993 |
| Paraguay | 6 May 1996 |

| *State party* | *Date due* |
|---|---|
| Saint Kitts and Nevis | 25 May 1994 |
| Saint Lucia | 7 November 1991 |
| Senegal | 7 March 1994 |
| Togo | 26 October 1992 |
| **D. Fourth periodic reports** | |
| Australia | 27 August 1996 |
| Belarus | 3 September 1994 |
| Bhutan | 30 September 1994 |
| Bulgaria | 10 March 1995 |
| Cape Verde | 3 September 1994 |
| Congo | 25 August 1995 |
| Dominica | 3 September 1994 |
| Ecuador | 9 December 1994 |
| Ethiopia | 10 October 1994 |
| Gabon | 20 February 1996 |
| Guinea | 8 September 1995 |
| Guyana | 3 September 1994 |
| Haiti | 3 September 1994 |
| Honduras | 2 April 1996 |
| Lao People's Democratic Republic | 13 September 1994 |
| Panama | 28 November 1994 |
| Poland | 3 September 1994 |
| Rwanda | 3 September 1994 |
| Saint Lucia | 7 November 1995 |
| Saint Vincent and the Grenadines | 3 September 1994 |
| Togo | 26 October 1996 |
| Uruguay | 8 November 1994 |
| Venezuela | 1 June 1996 |

# Annex II

## States parties whose reports have been submitted but not yet considered by the Committee, as at 22 November 2001

| *State party* | *Date due* | *Date received* | *Document symbol* |
|---|---|---|---|
| **A. Initial reports** | | | |
| Costa Rica[a] | 4 May 1987 | 10 July 2001 | CEDAW/C/CRI/1 |
| **B. Second periodic reports** | | | |
| Armenia[b] | 13 October 1998 | 23 August 1999 | CEDAW/C/ARM/2 |
| Czech Republic[b] | 24 March 1997 | 10 March 2000 | CEDAW/C/CZE/2 |
| Equatorial Guinea[b] | 22 November 1989 | 6 January 1994 | CEDAW/C/GNQ/2-3 |
| Libyan Arab Jamahiriya[b] | 15 June 1990 | 18 February 1999 | CEDAW/C/LBY/2 |
| Morocco[b] | 21 July 1998 | 29 February 2000 | CEDAW/C/MOR/2 |
| Slovenia[b] | 5 August 1997 | 26 April 1999 | CEDAW/C/SVN/2 |
| **C. Third periodic reports** | | | |
| Belgium[a, b] | 9 August 1994 | 29 October 1998 | CEDAW/C/BEL/3-4 |
| El Salvador | 18 September 1990 | 20 January 2001 | CEDAW/C/SLV/3-4 |
| Equatorial Guinea[b] | 22 November 1993 | 6 January 1994 | CEDAW/C/GNQ/2-3 |
| France[b] | 13 January 1993 | 5 October 1999 | CEDAW/C/FRA/3 |
| Guatemala | 11 September 1991 | 20 March 2001 | CEDAW/C/GUA/2-3 |
| Israel | 2 November 2000 | 22 October 2001 | CEDAW/C/ISR/3 |
| Kenya[b] | 8 April 1993 | 5 January 2000 | CEDAW/C/KEN/3-4 |
| Tunisia[a, b] | 20 October 1994 | 1 June 2000 | CEDAW/C/TUN/3-4 |
| Uganda | 21 August 1994 | 22 May 2000 | CEDAW/C/UGA/3 |
| Zambia[a, b] | 21 July 1994 | 12 August 1999 | CEDAW/C/ZAM/3-4 |
| **D. Fourth periodic reports** | | | |
| Argentina[b] | 14 August 1998 | 18 January 2000 | CEDAW/C/ARG/4 |
| Barbados[b] | 3 September 1995 | 14 November 2000 | CEDAW/C/BAR/4 |
| Belgium[a, b] | 9 August 1994 | 29 October 1998 | CEDAW/C/BEL/3-4 |
| Denmark[a, b] | 21 May 1996 | 9 January 1997 | CEDAW/C/DEN/4 |
| El Salvador | 18 September 1994 | 26 July 2001 | CEDAW/C/SLV/3-4 |
| Greece | 7 July 1996 | 19 April 2001 | CEDAW/C/GRC/4-5 |
| Guatemala | 11 September 1995 | 20 March 2001 | CEDAW/C/GUA/3-4 |
| Hungary[b] | 3 September 1994 | 19 September 2000 | CEDAW/C/HUN/4-5 |
| Japan[b] | 25 July 1998 | 24 July 1998 | CEDAW/C/JPN/4 |
| Kenya[b] | 8 April 1997 | 5 January 2000 | CEDAW/C/KEN/3-4 |
| Tunisia[a, b] | 20 October 1998 | 1 June 2000 | CEDAW/C/TUN/3-4 |
| Ukraine[a, b] | 3 September 1994 | 2 August 1999 | CEDAW/C/UKR/4-5 |
| Yemen[b] | 29 June 1997 | 8 March 2000 | CEDAW/C/YEM/4 |
| Zambia[a, b] | 21 July 1998 | 12 August 1999 | CEDAW/C/ZAM/3-4 |

| *State party* | *Date due* | *Date received* | *Document symbol* |
|---|---|---|---|
| **E. Fifth periodic reports** | | | |
| Denmark[a, b] | 21 May 2000 | 13 June 2000 | CEDAW/C/DEN/5 |
| El Salvador | 18 September 1998 | 26 July 2001 | CEDAW/C/SLV/5 |
| Greece | 7 July 2000 | 19 April 2001 | CEDAW/C/GRC/4-5 |
| Hungary[b] | 3 September 1998 | 19 September 2000 | CEDAW/C/HUN/4-5 |
| Mexico[b] | 3 September 1998 | 29 November 2000 | CEDAW/C/MEX/5 |
| Norway[b] | 3 September 1998 | 23 March 2000 | CEDAW/C/NOR/5 |
| Peru[b] | 13 October 1999 | 21 July 2000 | CEDAW/C/PER/5 |
| Ukraine[a, b] | 30 September 1998 | 2 August 1999 | CEDAW/C/UKR/4-5 |

[a] Report to be considered by the Committee at its twenty-seventh session, to be held in New York from 3 to 21 June 2002.
[b] Report has been translated, reproduced and made available in all official languages.

# Annex III

## States parties which have signed, ratified or acceded to the Optional Protocol, as at 22 November 2001

| *State party* | *Date signed* | *Ratification, accession* |
|---|---|---|
| Andorra | 9 July 2001 | |
| Argentina | 28 February 2000 | |
| Austria | 10 December 1999 | 6 September 2000 |
| Azerbaijan | 6 June 2000 | 1 June 2001 |
| Bangladesh[a] | 6 September 2000 | 6 September 2000 |
| Belgium[b] | 10 December 1999 | |
| Benin | 25 May 2000 | |
| Bolivia | 10 December 1999 | 27 September 2000 |
| Bosnia and Herzegovina | 7 September 2000 | |
| Brazil | 13 March 2001 | |
| Bulgaria | 6 June 2000 | |
| Burkina Faso | 16 November 2001 | |
| Burundi | 13 November 2001 | |
| Cambodia | 11 November 2001 | |
| Chile | 10 December 1999 | |
| Colombia | 10 December 1999 | |
| Costa Rica | 10 December 1999 | 20 September 2001 |
| Croatia | 5 June 2000 | 7 March 2001 |
| Cuba[c] | 17 March 2000 | |
| Cyprus | 8 February 2001 | |
| Czech Republic | 10 December 1999 | 26 February 2001 |
| Denmark | 10 December 1999 | 31 May 2000 |
| Dominican Republic | 14 March 2000 | 10 August 2001 |
| Ecuador | 10 December 1999 | |
| El Salvador | 4 April 2001 | |
| Finland | 10 December 1999 | 29 December 2000 |

| *State party* | *Date signed* | *Ratification, accession* |
|---|---|---|
| France | 10 December 1999 | 9 June 2000 |
| Germany | 10 December 1999 | |
| Ghana | 24 February 2000 | |
| Greece | 10 December 1999 | |
| Guatemala | 7 September 2000 | |
| Guinea-Bissau | 12 September 2000 | |
| Hungary | | 22 December 2000 |
| Iceland | 10 December 1999 | 6 March 2001 |
| Indonesia | 28 February 2000 | |
| Ireland | 7 September 2000 | 7 September 2000 |
| Italy | 10 December 1999 | 22 September 2000 |
| Kazakhstan | 6 September 2000 | 24 August 2001 |
| Lesotho | 6 September 2000 | |
| Liechtenstein | 10 December 1999 | 24 October 2001 |
| Lithuania | 8 September 2000 | |
| Luxembourg | 10 December 1999 | |
| Madagascar | 7 September 2000 | |
| Malawi | 7 September 2000 | |
| Mali | | 5 December 2000 |
| Mauritius | 11 November 2001 | |
| Mexico | 10 December 1999 | |
| Mongolia | 7 September 2000 | |
| Namibia | 19 May 2000 | 26 May 2000 |
| Netherlands | 10 December 1999 | |
| New Zealand[d] | 7 September 2000 | 7 September 2000 |
| Nigeria | 8 September 2000 | |
| Norway | 10 December 1999 | |
| Panama | 9 June 2000 | 9 May 2001 |
| Paraguay | 28 December 1999 | 14 May 2001 |

| *State party* | *Date signed* | *Ratification, accession* |
|---|---|---|
| Peru | 22 December 2000 | 9 April 2001 |
| Philippines | 21 March 2000 | |
| Portugal | 16 February 2000 | |
| Romania | 6 September 2000 | |
| Russian Federation | 8 May 2001 | |
| Sao Tome and Principe | 6 September 2000 | |
| Senegal | 10 December 1999 | 26 May 2000 |
| Sierra Leone | 8 September 2000 | |
| Slovakia | 5 June 2000 | 17 November 2000 |
| Slovenia | 10 December 1999 | |
| Spain | 14 March 2000 | 6 July 2001 |
| Sweden | 10 December 1999 | |
| Tajikistan | 7 September 2000 | |
| Thailand | 14 June 2000 | 14 June 2000 |
| The former Yugoslav Republic of Macedonia | 3 April 2000 | |
| Turkey | 8 September 2000 | |
| Ukraine | 7 September 2000 | |
| Uruguay | 9 May 2000 | 26 July 2001 |
| Venezuela | 17 March 2000 | |

[a] The Government of Bangladesh declared that, in accordance with article 10, paragraph 1, of the Optional Protocol, it would not undertake the obligations arising out of articles 8 and 9.

[b] Upon signature, the Government of Belgium declared that the Flemish, French and German-speaking communities of Belgium were equally bound by the signature.

[c] Upon signature, the Government of Cuba declared that it did not recognize the competence of the Committee, established by virtue of articles 8 and 9 of the Optional Protocol.

[d] With a declaration to the effect that, consistent with the constitutional status of Tokelau and taking into account its commitment to the development of self-government through an act of self-determination under the Charter of the United Nations, the ratification should not extend to Tokelau unless and until a declaration to this effect were lodged by the Government of New Zealand with the depositary on the basis of appropriate consultation with that territory.

*Note*: Unless otherwise indicated, the declarations and reservations were made upon ratification or accession.

# Annex IV

## States parties which have accepted the amendment to article 20, paragraph 1, of the Convention

| *State party* | *Acceptance date* |
|---|---|
| Australia | 4 June 1998 |
| Austria | 11 September 2000 |
| Brazil | 5 March 1997 |
| Canada | 3 November 1997 |
| Chile | 8 May 1998 |
| Denmark | 12 March 1996 |
| Egypt | 2 August 2001 |
| Finland | 18 March 1996 |
| France | 8 August 1997 |
| Guatemala | 3 June 1999 |
| Italy | 31 May 1996 |
| Lesotho | 12 November 2001 |
| Liechtenstein | 15 April 1997 |
| Madagascar | 19 July 1996 |
| Malta | 5 March 1997 |
| Mexico | 16 September 1996 |
| Mongolia | 19 December 1997 |
| Netherlands | 10 December 1997[a] |
| New Zealand | 26 September 1996 |
| Norway | 29 March 1996 |
| Panama | 5 November 1996 |
| Republic of Korea | 12 August 1996 |
| Sweden | 17 July 1996 |
| Switzerland | 2 December 1997 |
| Turkey | 9 December 1999 |
| United Kingdom of Great Britain and Northern Ireland | 19 November 1996[b] |

[a] For the Kingdom of the Netherlands in Europe, the Netherlands Antilles and Aruba.

[b] For the United Kingdom of Great Britain and Northern Ireland, the Isle of Man, the British Virgin Islands and the Turks and Caicos Islands.

# Annex V

## States which have not ratified or acceded to the Convention, as at 22 November 2001

### Africa

Sao Tome and Principe
Somalia
Sudan
Swaziland

### Asia and the Pacific

Afghanistan
Bahrain
Brunei Darussalam
Iran (Islamic Republic of)
Kiribati
Marshall Islands
Micronesia (Federated States of)
Nauru
Oman
Palau
Qatar
Solomon Islands
Syrian Arab Republic
Tonga
United Arab Emirates

### Western European and Other States

Holy See
Monaco
San Marino
United States of America

# Annex VI

## Submission of a communication under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women

The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women entered into force on 22 December 2000. It entitles the Committee on the Elimination of Discrimination against Women, a body of 23 independent experts, to receive and consider communications (petitions) from, or on behalf of, individuals or a group of individuals who claim to be victims of violations of the rights protected by the Convention.

To be considered by the Committee, a communication:

- must be in writing;
- may not be anonymous;
- must refer to a State which is a party to both the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol;
- must be submitted by, or on behalf of, an individual or a group of individuals under the jurisdiction of a State which is a party to the Convention and the Optional Protocol. In cases where a communication is submitted on behalf of an individual or a group of individuals, their consent is necessary unless the person submitting the communication can justify acting on their behalf without such consent.

A communication will *not* normally be considered by the Committee:

- unless all available domestic remedies have been exhausted;
- where the same matter is being or has already been examined by the Committee or another international procedure;
- if it concerns an alleged violation occurring before the entry into force of the Optional Protocol for the State.

*In order for a communication to be considered the victim or victims must agree to disclose her/their identity to the State against which the violation is alleged. The communication, if admissible, will be brought confidentially to the attention of the State party concerned.*

* * *

If you wish to submit a communication, please follow the guidelines below as much as possible. Also, please submit any relevant information which becomes available *after* you have submitted this form.

Further information on the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, as well as the rules of procedure of the Committee can be found at: http://www.un.org/womenwatch/daw/cedaw/index.html

### Guidelines for submission

The following questionnaire provides a guideline for those who wish to submit a communication for consideration by the Committee on the Elimination of Discrimination against Women under the Optional Protocol to the Convention on the

**Elimination of All Forms of Discrimination against Women. Please provide as much information as available in response to the items listed below.**

**Send your communication to:**

**Committee on the Elimination of Discrimination against Women**
**c/o Division for the Advancement of Women, Department of Economic and Social Affairs**
**United Nations Secretariat**
**2 United Nations Plaza**
**DC-2/12th Floor**
**New York, NY 10017**
**United States of America**

*Fax*: 1-212-963-3463

1. **Information concerning the author(s) of the communication**

- **Family name**
- **First name**
- **Date and place of birth**
- **Nationality/citizenship**
- **Passport/identity card number (if available)**
- **Sex**
- **Marital status/children**
- **Profession**
- **Ethnic background, religious affiliation, social group (if relevant)**
- **Present address**
- **Mailing address for confidential correspondence (if other than present address)**
- **Fax/telephone/e-mail**
- **Indicate whether you are submitting the communication as:**

____ **Alleged victim(s). If there is a group of individuals alleged to be victims, provide basic information about each individual.**

____ **On behalf of the alleged victim(s). Provide evidence showing the consent of the victim(s), or reasons that justify submitting the communication without such consent.**

2. **Information concerning the alleged victim(s) (if other than the author)**

- **Family name**
- **First name**
- **Date and place of birth**
- **Nationality/citizenship**
- **Passport/identity card number (if available)**
- **Sex**
- **Marital status/children**
- **Profession**
- **Ethnic background, religious affiliation, social group (if relevant)**
- **Present address**
- **Mailing address for confidential correspondence (if other than present address)**
- **Fax/telephone/e-mail**

**3. Information on the State party concerned**

- Name of the State party (country)

**4. Nature of the alleged violation(s)**

Provide detailed information to substantiate your claim, including:

- Description of alleged violation(s) and alleged perpetrator(s)
- Date(s)
- Place(s)
- Provisions of the Convention on the Elimination of All Forms of Discrimination against Women that were allegedly violated. If the communication refers to more than one provision, describe each issue separately.

**5. Steps taken to exhaust domestic remedies**

Describe the action taken to exhaust domestic remedies; for example, attempts to obtain legal, administrative, legislative, policy or programme remedies, including:

- Type(s) of remedy sought
- Date(s)
- Place(s)
- Who initiated the action
- Which authority or body was addressed
- Name of court hearing the case (if any).
- If domestic remedies have not been exhausted, explain why.

*Please note*: Enclose copies of all relevant documentation.

**6. Other international procedures**

Has the same matter already been examined or is it being examined under another procedure of international investigation or settlement? If yes, explain:

- Type of procedure(s)
- Date(s)
- Place(s)
- Results (if any)

*Please note*: Enclose copies of all relevant documentation.

**7. Date and signature**

Date/place: _____

Signature of author(s) and/or victim(s): _____

**8. List of documents attached (do *not* send originals, only copies)**

# Annex VII

## Consolidated guidelines for State reports under the International Covenant on Civil and Political Rights

**(as amended at the seventieth session, October-November 2000)**

### A. Introduction

**A.1** These guidelines replace all earlier versions issued by the Human Rights Committee, which may now be disregarded (CCPR/C/19/Rev.1 of 26 August 1982, CCPR/C/5/Rev.2 of 28 April 1995 and Annex VIII to the Committee's 1998 report to the General Assembly (A/53/40)); the Committee's general comment 2 (13) of 1981 is also superseded. The present guidelines do not affect the Committee's procedure in relation to any special reports which may be requested.

**A.2** These guidelines will be effective for all reports to be presented after 31 December 1999.

**A.3** The guidelines should be followed by States parties in the preparation of initial and all subsequent periodic reports.

**A.4** Compliance with these guidelines will reduce the need for the Committee to request further information when it proceeds to consider a report; it will also help the Committee to consider the situation regarding human rights in every State party on an equal basis.

### B. Framework of the Covenant concerning reports

**B.1** Every State party, upon ratifying the Covenant, undertakes, under article 40, to submit, within a year of the Covenant's entry into force for that State, an initial report on the measures it has adopted which give effect to the rights recognized in the Covenant ("Covenant rights") and progress made in their enjoyment; and thereafter periodic reports whenever the Committee so requests.

**B.2** For subsequent periodic reports the Committee has adopted a practice of stating, at the end of its concluding observations, a date by which the following periodic report should be submitted.

### C. General guidance for contents of all reports

**C.1** *The articles and the Committee's general comments.* The terms of the articles in Parts I, II and III of the Covenant must, together with general comments issued by the Committee on any such article, be taken into account in preparing the report.

**C.2** *Reservations and declarations.* Any reservation to or declaration as to any article of the Covenant by the State party should be explained and its continued maintenance justified.

**C.3** *Derogations.* The date, extent and effect of, and procedures for imposing and for lifting any derogation under article 4 should be fully explained in relation to every article of the Covenant affected by the derogation.

**C.4** *Factors and difficulties*. Article 40 of the Covenant requires that factors and difficulties, if any, affecting the implementation of the Covenant should be indicated. A report should explain the nature and extent of, and reasons for every such factor and difficulty, if any such exist; and should give details of the steps being taken to overcome these.

**C.5** *Restrictions or limitations*. Certain articles of the Covenant permit some defined restrictions or limitations on rights. Where these exist, their nature and extent should be set out.

**C.6** *Data and statistics*. A report should include sufficient data and statistics to enable the Committee to assess progress in the enjoyment of Covenant rights, relevant to any appropriate article.

**C.7** *Article 3*. The situation regarding the equal enjoyment of Covenant rights by men and women should be specifically addressed.

**C.8** *Core document*. Where the State party has already prepared a core document (see HRI/CORE/1, dated 24 February 1992), this will be available to the Committee: it should be updated as necessary in the report, particularly as regards "General legal framework" and "Information and publicity" (see HRI/CORE/1, paras. 3 and 4).

## D. The initial report

### D.1 General

This report is the State party's first opportunity to present to the Committee the extent to which its laws and practices comply with the Covenant which it has ratified. The report should:

Establish the constitutional and legal framework for the implementation of Covenant rights;

Explain the legal and practical measures adopted to give effect to Covenant rights;

Demonstrate the progress made in ensuring enjoyment of Covenant rights by the people within the State party and subject to its jurisdiction.

### D.2 Contents of the report

**D.2.1** A State party should deal specifically with every article in Parts I, II and III of the Covenant; legal norms should be described, but that is not sufficient: the factual situation and the practical availability, effect and implementation of remedies for violation of Covenant rights should be explained and exemplified.

**D.2.2** The report should explain:

How article 2 of the Covenant is applied, setting out the principal legal measures which the State party has taken to give effect to Covenant rights; and the range of remedies available to persons whose rights may have been violated;

Whether the Covenant is incorporated into domestic law in such a manner as to be directly applicable;

If not, whether its provisions can be invoked before and given effect to by courts, tribunals and administrative authorities;

Whether the Covenant rights are guaranteed in a Constitution or other laws and to what extent; or

Whether Covenant rights must be enacted or reflected in domestic law by legislation so as to be enforceable.

**D.2.3** Information should be given about the judicial, administrative and other competent authorities having jurisdiction to secure Covenant rights.

**D.2.4** The report should include information about any national or official institution or machinery which exercises responsibility in implementing Covenant rights or in responding to complaints of violations of such rights, and give examples of their activities in this respect.

### D.3 Annexes to the report

**D.3.1** The report should be accompanied by copies of the relevant principal constitutional, legislative and other texts which guarantee and provide remedies in relation to Covenant rights. Such texts will not be copied or translated, but will be available to members of the Committee; it is important that the report itself contains sufficient quotations from or summaries of these texts so as to ensure that the report is clear and comprehensible without reference to the annexes.

## E. Subsequent periodic reports

**E.1** There should be two starting points for such reports:

The concluding observations (particularly "Concerns" and "Recommendations") on the previous report and summary records of the Committee's consideration (insofar as these exist);

An examination by the State party of the progress made towards and the current situation concerning the enjoyment of Covenant rights by persons within its territory or jurisdiction.

**E.2** Periodic reports should be structured so as to follow the articles of the Covenant. If there is nothing new to report under any article it should be so stated.

**E.3** The State party should refer again to the guidance on initial reports and on annexes, insofar as these may also apply to a periodic report.

**E.4** There may be circumstances where the following matters should be addressed, so as to elaborate a periodic report:

There may have occurred a fundamental change in the State party's political and legal approach affecting Covenant rights: in such a case a full article by article report may be required;

New legal or administrative measures may have been introduced which deserve the annexure of texts and judicial or other decisions.

## F. Optional protocols

**F.1** If the State party has ratified the Optional Protocol and the Committee has issued Views entailing provision of a remedy or expressing any other concern, relating to a communication received under that Protocol, a report should (unless the matter has been dealt with in a previous report) include information about the steps taken to provide a remedy, or meet such a concern, and to ensure that any circumstance thus criticized does not recur.

**F.2** If the State party has abolished the death penalty, the situation relating to the Second Optional Protocol should be explained.

## G. The Committee's consideration of reports

### G.1 General

The Committee intends its consideration of a report to take the form of a constructive discussion with the delegation, the aim of which is to improve the situation pertaining to Covenant rights in the State.

### G.2 List of issues

On the basis of all information at its disposal, the Committee will supply in advance a list of issues which will form the basic agenda for consideration of the report. The delegation should come prepared to address the list of issues and to respond to further questions from members, with such updated information as may be necessary; and to do so within the time allocated for consideration of the report.

### G.3 The State party's delegation

The Committee wishes to ensure that it is able effectively to perform its functions under article 40 and that the reporting State party should obtain the maximum benefit from the reporting requirement. The State party's delegation should, therefore, include persons who, through their knowledge of and competence to explain the human rights situation in that State, are able to respond to the Committee's written and oral questions and comments concerning the whole range of Covenant rights.

### G.4 Concluding observations

Shortly after the consideration of the report, the Committee will publish its concluding observations on the report and the ensuing discussion with the delegation. These concluding observations will be included in the Committee's annual report to the General Assembly; the Committee expects the State party to disseminate these conclusions, in all appropriate languages, with a view to public information and discussion.

### G.5 Extra information

**G.5.1** Following the submission of any report, subsequent revisions or updating may only be submitted:

(a) No later than 10 weeks prior to the date set for the Committee's consideration of the report (the minimum time required by the United Nations translation services); or,

(b) After that date, provided that the text has been translated by the State party into the working languages of the Committee (currently English, Spanish and French).

If one or other of these courses is not complied with, the Committee will not be able to take an addendum into account. This, however, does not apply to updated annexes or statistics.

G.5.2 In the course of the consideration of a report, the Committee may request or the delegation may offer further information; the secretariat will keep a note of such matters which should be dealt with in the next report.

G.6.1 The Committee may, in a case where there has been a long-term failure by a State party, despite reminders, to submit an initial or a periodic report, announce its intention to examine the extent of compliance with Covenant rights in that State party at a specified future session. Prior to that session it will transmit to the State party appropriate material in its possession. The State party may send a delegation to the specified session, which may contribute to the Committee's discussion, but in any event the Committee may issue provisional concluding observations and set a date for the submission by the State party of a report of a nature to be specified.

G.6.2 In a case where a State party, having submitted a report which has been scheduled at a session for examination, informs the Committee, at a time when it is impossible to schedule the examination of another State party report, that its delegation will not attend the session, the Committee may examine the report on the basis of the list of issues either at that session or at another to be specified. In the absence of a delegation, it may decide either to reach provisional concluding observations, or to consider the report and other material and follow the course in paragraph G.4 above.

## H. Format of the report

The distribution of a report, and thus its availability for consideration by the Committee, will be greatly facilitated if:

(a) The paragraphs are sequentially numbered;

(b) The document is written on A4-sized paper;

(c) Is single-spaced;

(d) Allows reproduction by photo-offset (is on one side only of each sheet of paper).